

United States District Court**for the****Eastern District of Washington****Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Shane Scott Olney

Case Number: 0980 2:13CR02094-TOR-19

Address of Offender: [REDACTED]

Name of Sentencing Judicial Officer: The Honorable Thomas O. Rice, Chief U.S. District Judge

Date of Original Sentence: April 26, 2016

Original Offense: Unlawful Animal Fighting Venture, 7 and 18 U.S.C. § 2156 and 2

Original Sentence: Prison 4 days; TSR-12 months Type of Supervision: Supervised Release

Asst. U.S. Attorney: Benjamin David Seal Date Supervision Commenced: May 8, 2016

Defense Attorney: Federal Defenders Office Date Supervision Expires: May 7, 2017

PETITIONING THE COURT**To issue a warrant.**

The probation officer believes that the offender has violated the following conditions of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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1	Standard Condition # 2: The defendant shall report to the probation officer in a manner and frequency directed by the court or probation officer.
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Supporting Evidence: Mr. Olney did not report as directed on September 26, 2016.

On September 23, 2016, this officer called Mr. Olney and left a voice mail on his cell phone directing him to report to the probation office on September 26, 2016, by 4 p.m., however, he failed to do so.

2	Standard Condition # 6: The defendant shall notify the probation officer at least ten days prior to any change in residence or employment.
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Supporting Evidence: Mr. Olney moved out of his residence approximately 1 month ago and failed to notify this officer.

On September 28, 2016, this officer spoke with a member of the Olney household who stated the offender had not been at the residence for approximately 1 month. They stated the last time they saw him, he was packing some personal belongings and they believe he is currently in Warm Springs, Oregon.

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- 3 **Special Condition # 18:** The defendant shall undergo a substance abuse evaluation and, if indicated by a licensed/certified treatment provider, enter into and successfully complete an approved substance abuse treatment program, which could include inpatient treatment and aftercare upon further order of the Court. The defendant shall contribute to the cost of treatment according to his ability to pay. The defendant shall allow full reciprocal disclosure between the supervising officer and treatment provider.

Supporting Evidence: On September 21, 2016, Mr. Olney failed to comply with his substance abuse treatment plan.

Mr. Olney was scheduled to begin attending group sessions for substance abuse treatment on September 21, 2016. However, he failed to show for this group. On September 28, 2016, this officer spoke with staff at Merit Resource Services (Merit) who confirmed Mr. Olney was absent from group that day and further stated they had not seen nor heard from him since September 16, 2016. Merit staff stated if Mr. Olney does not report to them by September 30, 2016, his file will be closed.

- 4 **Special Condition # 19:** The defendant shall abstain from the use of illegal controlled substances, and shall submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: Mr. Olney provided urinalysis samples to a United States Probation Officer (USPO) which tested positive for cocaine on August 9, and 16.

On August 9, and 16, 2016, a U.S. probation officer collected urinalysis samples from Mr. Olney which yielded a presumptive positive for cocaine. Mr. Olney denied use on August 9, 2016, and the sample was sent to Alere Toxicology (Alere) for verification. On August 13, 2016, the sample was confirmed positive by Alere. Mr. Olney admitted to using cocaine on September 16, 2016, and signed a drug use admission form.

- 5 **Special Condition # 19:** The defendant shall abstain from the use of illegal controlled substances, and shall submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: Mr. Olney failed to report for urinalysis testing on September 16 and 21, 2016.

This officer received documentation from Merit Resources stating that Mr. Olney failed to show for urinalysis testing on September 16, and 21, 2016. Further, on September 28, 2016, this officer spoke with staff at Merit Resources who confirmed Mr. Olney failed to show for urinalysis testing on those dates.

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The U.S. Probation Office respectfully recommends the Court issue a warrant for the arrest of the offender to answer to the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: s/Jonathan G. Barcom

September 29, 2016

Jonathan G. Barcom
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
☒ The Issuance of a Warrant
☐ The Issuance of a Summons
☐ Other



Signature of Judicial Officer

September 29, 2016

Date